

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

TERRENCE N. PREWITT,
Appellant

CIVIL ACTION
NO. CV04-2428-M

VERSUS

JO ANNE B. BARNHART,
COMMISSIONER OF SOCIAL SECURITY,
Appellee

JUDGE ROBERT G. JAMES
MAGISTRATE JUDGE JAMES D. KIRK

J U D G M E N T

____For the reasons contained in the Report and Recommendation of the Magistrate Judge previously filed herein, and after independent review of the entire record, and concurring with the Magistrate Judge's findings under the applicable law;

IT IS ORDERED that the final decision of the Commissioner is REVERSED, the Commissioner's motion to remand is GRANTED, and this case is REMANDED to the Commissioner pursuant to the Fourth Sentence of 42 U.S.C. § 405(g) to obtain updated medical records pulmonary function studies, to re-evaluate the severity of Prewitt's impairments, to obtain evidence from a medical expert if necessary, and to obtain supplemental evidence from a VE if necessary.

THUS ORDERED AND SIGNED in Chambers at Monroe, Louisiana, on this 28th day of July, 2005.


ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE